

Docket No. 0213-1431-0

IN RE APPLICATION OF: Satoru NISHIMURA

SERIAL NO: 09/534,995

FILED: March 27, 2000

FOR: CHOLINE MONOOXYGENASE GENE

NOV 12 2002

PATENT AND TRADEMARK OFFICE

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1635

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Marked-up copy; Attached to the response: "Synopsis of Application of Written Description Guidelines: Example 9"

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	44	MINUS	30	14	× \$18 =	\$252.00
INDEPENDENT	4	MINUS	6	0	× \$84 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$252.00

- ☒ A check in the amount of **\$252.00** is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

SATORU NISHIMURA ET AL.

SERIAL NO.: 09/534,995

FILED: MARCH 27, 2000

FOR: CHOLINE MONOOXYGENASE GENE

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: GROUP ART UNIT: 1635

:

: EXAMINER: EPPS, J.

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R.T.
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AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action mailed August 9, 2002, Applicants request reconsideration in light of the following amendments and remarks.

IN THE CLAIMS

Please cancel Claim 18.

Please amend the claims as follows:

3. (Amended) A gene comprising the following DNA (c) or (d):

(c) a DNA comprising the nucleotide sequence shown in SEQ ID NO: 1, 3 or 5;

(d) a DNA which hybridizes to a DNA comprising the nucleotide sequence shown in SEQ ID NO: 1, 3 or 5 under stringent conditions, which has 90% homology with the nucleotide sequence shown in SEQ ID NO: 1, 3 or 5, and which encodes a protein having choline monooxygenase activity.

9. (Amended) A gene comprising the following DNA (g) or (h):

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